

Remarks

The Examiner has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter of claim 15. The Examiner's attention is respectfully drawn to the specification at page 12 lines 4- 7. wherein the antecedent basis for claim 15 is provided.

The Examiner has objected to claim 11 due to a typographical error. Claim 11 has been cancelled as incorporated in the present amendment to claim 10 discussed subsequently.

The Examiner has rejected claims 1, 4-10 and 16 as anticipated by Riaboy (4,240,420). Claim 1 has been amended and is distinguishable over Riaboy and the other prior art of record. Claim 1 as amended requires an integral adhesive backing on the filter material to provide a simplified configuration over Riaboy which is not disclosed or suggested. Further, claim 1 requires slits in the filter material and adhesive to allow fitting of the personal air purifier to the face of the user.

The Examiner subsequently rejected claims 2 and 3 (claim 2 and a portion of claim 3 now incorporated in claim 1 as amended) as obvious based on Riaboy in view of Hollander et al. (6,308,330). The Examiner's rejection is respectfully traversed with respect to the claims as amended. The Hollander et al. patent discloses a full face mask for covering the nose and mouth of a user. The present invention is specific to and, as defined by the limitations in claim 1, fits a specific periphery "to circumscribe a continuous perimeter including the philtrum, the face posterior to the left alar groove, the dorsum of the nose and the face posterior to the right alar groove". To accommodate fitting of the filter to this defined perimeter, slits through the adhesive and filter material, but only through a portion of the width of the adhesive, assure a tight sealing fit around the complete perimeter. Hollander et al discloses slits through the adhesive strip and, "if desired" extending into the filter material (see column 5 line 47 et seq.). This is contrary to and teaches away from the limitations of claim 1 as amended. The applicant respectfully contends that claim 1 as amended is now patentable over the cited prior art.

The Examiner's rejection of claim 16 is similarly traversed in view of the amendment to claim 1 as argued above.

Claims 2 and 4-9 have been cancelled.

The Examiner's rejection of claim 10 as anticipated by Riaboy is respectfully traversed. Riaboy does not disclose or suggest the use of separate technical vents with integrated filter material as defined in claim 10. The Examiner has identified but not cited with respect to claim 10 US patent 4,984,302 to Lincoln. Lincoln discloses a nose filter element employing separate protuberances for insertion into the nostrils (see FIG. 4 and col. 5 lines 52-59). However the present invention employs two separate technical filters as claimed which do not require insertion into the nostrils. Further Lincoln does not disclose or suggest an adhesive element for surrounding the perimeter specified in claim 10 as amended. Lincoln merely discloses an adhesive element extending up the sides of the nose (see for example FIG. 1 and col. 5 lines 9-21).

The Examiner rejected claim 11, which has now been cancelled as incorporated in the amendment to claim 10, as unpatentable over Riaboy in view of Folberth. This rejection is respectfully traversed. Folberth discloses a rigid frame element 10 having two apertures which is placed over a single filter pad 12 (see col. 2 lines 4-9 and FIG. 1). Folberth does not disclose or suggest an integral adhesive tape with two technical vents comprising apertures housing separate filter elements attached to the adhesive tape. The Folberth device requires an elastic band 11 to restrain the frame against the nose. The applicant respectfully contends that the limitation of claim 10 with respect to the present invention are not disclosed or suggested by the combination of Riaboy and Folberth as asserted by the Examiner.

The Examiner has rejected claims 12, 13 and 14 as obvious based on Riaboy in view of various patents disclosing specific filter media. In view of the amendments to claim 1 from which these claims depend, the applicant respectfully contends that Riaboy and the cited patents do not disclose suggest the limitations of the overall combinations defined by these dependent claims. Based on the argument with respect to claim 1 above, the applicant believes that claims 12, 13 and 14 are allowable.

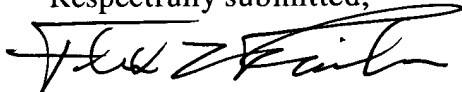
The Examiner has rejected claim 15 as obvious based on Riaboy in view of Jones et al. (6,409,806). The applicant respectfully contends that while Jones et al. discloses a means of creating electret capability in filter media, Riaboy in combination with Jones et al. does not disclose or suggest the overall combination as claimed based on the argument

claimed based on the argument with respect to claim 1 above. The applicant respectfully contends that the claim dependent on amended claim 1 is patentable.

The Examiner has rejected claim 17 as obvious based on Riaboy in view of Lincoln (4,984,302). The Examiner's rejection is respectfully traversed. Lincoln discloses a device that wraps under the nose of a user (see FIGs. 11A and 11B). The "notch" shown in FIG. 1 which the Examiner asserts is "provided at the center of the top periphery of the purifier to allow the device to substantially conform to a wearer's nose" is believed to accommodate the protuberance of the lip below the nose, however, no description or further disclosure of the function of this shape is provided in Lincoln. The applicant respectfully contends that the positioning of the feature cited by the Examiner in Lincoln does not meet the limitations present in claim 17 which requires "a notch in the periphery substantially centrally located at a top of the periphery for drawing periphery adjacent the notch together at the bridge of the user's nose". This limitation is not disclosed or suggested by Lincoln.

Based on the amendments made and the argument presented herein, the applicant believes that all claims now pending in the application are in condition for allowance and action by the Examiner in that regard is requested.

Respectfully submitted,



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